

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

CHARLES NELSON, #237837,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 1:05cv150-MEF
	)	(WO)
BILLY MITCHEM, et al.,	)	
	)	
Respondents.	)	

**ORDER**

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on March 28, 2006, said Recommendation is hereby adopted, and it is the

ORDER, JUDGMENT and DECREE of the court that the petition for habeas corpus relief is DENIED and that the petition is DISMISSED without prejudice to afford the petitioner the opportunity to exhaust all available state court remedies.

Done this the 17<sup>th</sup> day of April, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE